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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,333	07/21/2008	Michael Karin	UCSD-10835	5879

7590  
Meden & Carroll  
101 Howard Street  
Suite 350  
San Francisco, CA 94105

09/20/2010



EXAMINER
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QIAN, CELINE X

ART UNIT	PAPER NUMBER
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1636

MAIL DATE	DELIVERY MODE
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09/20/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

*Seq. Listing due 10/20/10*  
*ew*



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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APPLICATION NO. / CONTROL NO. 10574333	FILING DATE 7/21/2008	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION KARIN ET AL.	ATTORNEY DOCKET NO. UCSD-10835
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EXAMINER  
CELINE X. QIAN

ART UNIT 1636	PAPER 20100916
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## DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Web (<<http://www.uspto.gov/efc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)
2. Mailed to:  
Mail Stop Sequence  
Commissioner for Patents  
P.O. Box 22313 1450  
Alexandria, VA 22313 1450
3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:  
U.S. Patent and Trademark Office  
Mail Stop Sequence  
Customer Window  
Randolph Building  
401 Dulancy Street  
Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Celine Qian at telephone number (571)272-0777. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low, can be reached on 571-272-0951

Celine X Qian  
Primary Examiner  
Art Unit: 1636

**DETAILED ACTION**

The communication filed on 7/27/2010 is not fully responsive to the Office communication mailed on 4/27/2010 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules. The computer readable version of the sequence listing has not been accepted because the description of "n" being amino acid is not acceptable. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to be bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CELINE X. QIAN whose telephone number is (571)272-0777. The examiner can normally be reached on 10-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on 571-272-0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Celine X Qian /  
Primary Examiner, Art Unit 1636

<b>Notice to Comply</b>	Application No. 10574333	Applicant(s) KARIN ET AL.	
	Examiner CELINE X. QIAN	Art Unit 1636	

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact

For Rules Interpretation, call (571) 272-0731 or (571) 272-0951  
 For CRF Submission Help, call (571) 272-2510  
 PatentIn Software Program Support  
 Technical Assistance. 1-866-217-9197 or 703-305-3028 or 571-272-6845  
 PatentIn Software is Available At [www.USPTO.gov](http://www.USPTO.gov)

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

Celine X Qian Primary Examiner Art Unit: 1636	
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Sequence Listing could not be accepted.

If you need help call the Patent Electronic Business Center at (866)  
217-9197 (toll free).

Reviewer: Anne Corrigan

Timestamp: [year=2010; month=7; day=27; hr=9; min=43; sec=57; ms=320; ]

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\*\*\*\*\*

Reviewer Comments:

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<213> Artificial Sequence

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<223> Synthetic

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<221> misc\_feature

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<223> n is glycine or alanine.

<220>

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<222> (7)..(7)

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can only represent a single nucleotide; it cannot represent an amino

acid.

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1 5 10

If the above <220>-<223> sections regarding the "Xaa's" are defining them as nucleotides, they are erroneous. If they are denoting amino acids, please spell them out in the <223> responses.

\*\*\*\*\*

Application No: 10574333

Version No: 1.0

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Output Set:

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Finished: 2010-07-21 14:54:16.948

Elapsed: 0 hr(s) 0 min(s) 4 sec(s) 222 ms

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Error Description

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Karin, Michael  
Bonizzi, Giuseppina  
Behien, Mahali

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<141> 2010-07-21

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Lys Ile Cys Asn Tyr Glu Gly Pro Ala Lys Ile Glu Val Asp Leu Val  
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Glu Ala Lys Glu Leu Lys Lys Val Met Asp Leu Ser Ile Val Arg Leu  
180 185 190

Arg Phe Ser Ala Phe Leu Arg Ala Ser Asp Gly Ser Phe Ser Leu Pro  
195 200 205

Leu Lys Pro Val Ile Ser Gln Pro Ile His Asp Ser Lys Ser Pro Gly  
210 215 220

Ala Ser Asn Leu Lys Ile Ser Arg Met Asp Lys Thr Ala Gly Ser Val  
225 230 235 240

Arg Gly Gly Asp Glu Val Tyr Leu Leu Cys Asp Lys Val Gln Lys Asp  
245 250 255

Asp Ile Glu Val Arg Phe Tyr Glu Asp Asp Glu Asn Gly Trp Gln Ala  
260 265 270

Phe Gly Asp Phe Ser Pro Thr Asp Val His Lys Gln Tyr Ala Ile Val  
275 280 285

Phe Arg Thr Pro Pro Tyr His Lys Met Lys Ile Glu Arg Pro Val Thr  
290 295 300

Val Phe Leu Gln Leu Lys Arg Lys Arg Gly Gly Asp Val Ser Asp Ser  
305 310 315 320

Lys Gln Phe Thr Tyr Tyr Pro Leu Val Glu Asp Lys Glu Glu Val Gln  
325 330 335

Arg Lys Arg Arg Lys Ala Leu Pro Thr Phe Ser Gln Pro Phe Gly Gly  
340 345 350

Gly Ser His Met Gly Gly Gly Ser Gly Gly Ser Ala Gly Tyr Gly

355

360

365

Gly Ala Gly Gly Gly Gly Ser Leu Gly Phe Phe Ser Ser Ser Leu Ala  
370 375 380

Tyr Asn Pro Tyr Gln Ser Gly Ala Ala Pro Met Gly Cys Tyr Pro Gly  
385 390 395 400

Gly Gly Gly Gly Ala Gln Met Ala Gly Ser Arg Arg Asp Thr Asp Ala  
405 410 415

Gly Glu Gly Ala Glu Glu Pro Arg Thr Pro Pro Glu Ala Pro Gln Gly  
420 425 430

Glu Pro Gln Ala Leu Asp Thr Leu Gln Arg Ala Arg Glu Tyr Asn Ala  
435 440 445

Arg Leu Phe Gly Leu Ala Gln Arg Ser Ala Arg Ala Leu Leu Asp Tyr  
450 455 460

Gly Val Thr Ala Asp Ala Arg Ala Leu Leu Ala Gly Gln Arg His Leu  
465 470 475 480

Leu Met Ala Gln Asp Glu Asn Gly Asp Thr Pro Leu His Leu